



Early Journal Content on JSTOR, Free to Anyone in the World

This article is one of nearly 500,000 scholarly works digitized and made freely available to everyone in the world by JSTOR.

Known as the Early Journal Content, this set of works include research articles, news, letters, and other writings published in more than 200 of the oldest leading academic journals. The works date from the mid-seventeenth to the early twentieth centuries.

We encourage people to read and share the Early Journal Content openly and to tell others that this resource exists. People may post this content online or redistribute in any way for non-commercial purposes.

Read more about Early Journal Content at <http://about.jstor.org/participate-jstor/individuals/early-journal-content>.

JSTOR is a digital library of academic journals, books, and primary source objects. JSTOR helps people discover, use, and build upon a wide range of content through a powerful research and teaching platform, and preserves this content for future generations. JSTOR is part of ITHAKA, a not-for-profit organization that also includes Ithaka S+R and Portico. For more information about JSTOR, please contact support@jstor.org.

ACTS OF THE GENERAL ASSEMBLY, 1895-96—SYNOPSIS.

BY WM. P. McRAE, OF THE PETERSBURG BAR.

CHAP. 224.—*An Act making it unlawful for insurance companies, not incorporated by the laws of the State of Virginia, but legally admitted to do business therein, to place, or caused to be placed, insurance on property in this State in offices outside of the State in violation of the tax laws of the State of Virginia, and prescribing penalties for violation of the same, and prescribing the duties and compensation of the auditor of public accounts in relation thereto, and providing for renewal of license privileges of companies doing business in this State.*

[Approved February 5, 1896.]

Fire insurance companies, not incorporated by the laws of this State, but authorized to do business herein, are forbidden to make contracts of insurance on property herein, save through regularly constituted agents of such companies. The Act does not apply to railroad companies and other common carriers engaged in interstate commerce. The writing, placing, or causing to be written or placed, any policy of fire insurance in contravention of this Act, is declared to be a violation of the laws of this State providing for the payment of taxes by foreign insurance companies permitted to do business in Virginia.

A violation of the provisions of the act is to be punished by a fine of not less than one hundred nor more than five hundred dollars for each offence. Upon the first offence the license of the company offending shall be revoked for ninety days, notice of which revocation is to be published by the auditor in some newspaper in the city of Richmond. The company shall not be again permitted to do business in Virginia until all taxes and penalties due on said conviction shall have been paid, together with any expenses that may be due under the provisions of this Act to the auditor. Upon information of a violation of this law, the auditor is to forthwith cause an investigation of the correctness of such charge, and may visit the company's office and examine the books and records; provided the expenses of the auditor are paid in advance by the party making the charge, to be refunded should the charge be sustained. The refusal of the company to exhibit its books and records shall be deemed to be a violation of section 1 of the Act, and the penalties provided therein are to be immediately enforced by the auditor in the manner prescribed by sections 574, 575, 576 and 577 of the Code.

The auditor, or his deputy, shall receive, as compensation for his services in making the above investigation, his necessary travelling expenses and all reasonable expenses occurred, together with ten dollars per diem, which sum shall be collected from the company found guilty by him.

The secretary or manager of a company desiring to renew its license to do business in this State, must make oath that no policy covering property in this State has been issued during the twelve months preceding, except by resident agents of such company in Virginia, duly commissioned.

CHAP. 226.—*An Act to amend and re-enact Section 2625 of the Code of Virginia, in relation to how right of dower of insane wife may be passed, and how right of curtesy of insane husband may be passed, same right in purchase money to be secured to her or him, or compensation made.*

[Approved February 5, 1896.]

Provides for the passing of the right of curtesy of an insane husband by like proceedings, and subject to like provisions, as formerly prescribed by the section amended, as to the passing of the right of dower of an insane wife.

CHAP. 231.—*An Act to amend and re-enact Section 4018 of the Code of Virginia, in relation to venire facias in case of felony; what to command; number of persons to be summoned and how selected.*

[Approved February 5, 1896.]

Substitutes "sixteen" for "twenty."

CHAP. 235.—*An Act authorizing inspectors of oysters to assign to the owners, managers, or lessees of hotels ground under the water for bathing ground.*

[Approved February 5, 1896.]

Allows the owner, manager, or lessee of any hotel, adjacent or near to any water front, on any bay, river, creek, or sea of this State, to have assigned to him, at a rental of two dollars per acre per annum, for bathing grounds, any location under the water on said water front, or on the beds of said bays, rivers, creeks, or seas (in no case to exceed thirty acres), which, under the laws of this State, may be assigned to any person, for the purpose of the planting and propagation of oysters. The person occupying any such location when a location is made under this Act, or holding the same under proper assignment, shall have a prior right to have the location occupied by him assigned to him by the inspector, provided he shall have the same ascertained and designated within thirty days from the time the inspector is called on by any person to locate the same. The mode of applying for the assignment of such location is prescribed. No natural bed, rock or shoal can be assigned, no vested rights acquired under the oyster laws prior to the passage of the Act are to be impaired, and navigation is not to be impeded.

CHAP. 244.—*An Act to amend and re-enact Section 833, Code of Virginia 1887, entitled "Powers and duties of board at annual meeting."*

[Approved February 6, 1896.]

In sub-division second, after the words "and for a certain per centum upon the amount of the State tax" the following is inserted: "assessed upon real and personal property."

In sub-division third, instead of "district school purposes," the law now reads, district purposes."

CHAP. 248.—*An Act to amend and re-enact an Act entitled an Act to facilitate the giving of bonds required by law, approved March 5, 1894.*

[Approved February 6, 1896.]

By the amended Act, a person required by the laws of this State, or by any

court, judge, or other public officer to execute a bond with surety or sureties, may give a surety company as sole surety, if such company shall furnish satisfactory evidence of its ability to provide all the security required. In all cases where a surety company has been given as bondsman, a reasonable sum for the expense of procuring the surety shall be allowed in the settlement of the account, except that this allowance shall not be made to any state, county, or municipal officer. A company executing any bond as surety under the provisions of this Act is to be estopped to deny its corporate power to do so.

CHAP. 250.—*An Act to amend and re-enact Section 2467 of the Code of Virginia, in reference to the admission of writings to record.*

[Approved February 6, 1896.]

The amendment consists in requiring the writing to be recorded within ten days after its acknowledgment, instead of twenty, as before.

CHAP. 253.—*An Act to amend and re-enact section 2660, Code of Virginia, fixing the order in which debts of decedent are to be paid.*

[Approved February 7, 1896.]

In the second class, along with debts due the United States, are put debts due "this State."

CHAP. 263.—*An Act to amend and re-enact Section 3828 of the Code of Virginia, in relation to the sale of intoxicating liquors to minors or certain students.*

[Approved February 5, 1896.]

1. Be it enacted by the General Assembly of Virginia, That section thirty-eight hundred and twenty-eight of the Code of Virginia be amended and re-enacted so as to read as follows:

Sec. 3828. Merchants, or keepers of inns, ordinaries, bar-rooms, or distilleries, or other persons dealing in intoxicating liquors, or their employees selling, giving, or furnishing intoxicating liquors, and so forth, to minors or certain students, how punished.—If any merchant or tradesman, or the keeper of an inn, ordinary, bar-room, saloon, distillery, or any other person dealing in intoxicating liquors, sell, barter, give, or furnish, or cause to be sold, bartered, given, or furnished, or if any person in his employment sell, barter, give, or furnish any spirituous or intoxicating or malt liquors of any kind to a minor or to any student of the Hampton Normal and Agricultural Institute or other institution of learning in the State, including the public schools, he shall be fined not less than twenty-five dollars nor more than three hundred dollars, and, in the discretion of the court, to be confined in the county jail not exceeding six months, and the court shall require him to enter into a recognizance, with surety, in a penalty not less than five hundred dollars, to be of good behavior for one year. Any subsequent violation of this section shall be deemed a forfeiture of the recognizance.

2. This act shall be in force from May first, eighteen hundred and ninety-six.

CHAP. 269.—*An Act to amend and re-enact Section 2954 of the Code of Virginia, in regard to proceedings before a justice for release to claimant of property taken under distress warrant, or levied on under execution on judgment of a justice, and when and how appeal allowed.*

[Approved February 11, 1896.]

The changes are that an affidavit is required to be made either by the claimant, the officer having such process, or the party issuing the same, that, to the best of said affiant's belief, the property is not of greater value than twenty dollars. Upon the hearing, if the justice be of opinion that the property belongs to the person against whom the execution or warrant of distress issued, he shall order the officer who levied on the same to sell said property to satisfy the execution or distress warrant.

CHAP. 270.—*An Act to amend and re-enact Section 2275 of the Code of Virginia, in relation to "how dower may be assigned."*

[Approved February 11, 1896.]

Gives an alienee the power to have commissioners appointed to assign dower, on motion to the court in which his conveyance is recorded.

CHAP. 277.—*An Act to permit any railroad or transportation company, which is or shall be authorized to use or lease any line of any other railroad or transportation company, or with which it shall have lawfully established connection, to acquire and hold real estate upon and near any such line, or at or near any terminus.*

[Approved February 11, 1896.]

1. Be it enacted by the General Assembly of Virginia, That any railroad or transportation company which is authorized to acquire, unite with, use or lease any line of any other railroad or transportation company, or with which it shall lawfully have established connection, shall have the authority to acquire and hold by gift, purchase, or in the manner provided for in chapter forty-six of the Code of Virginia, at any point or points upon or near any such line so acquired, united with, used, leased or connected with, or at or within five miles of any terminus thereof, so much real estate for its depots, shops, yards and other purposes as may be necessary and proper for the conduct of the business of said company, not exceeding any limitation previously prescribed by the commissioner of railroads, to whom notice shall be given of any proceeding to acquire any such lands.

2. This Act shall be in force from its passage.

CHAP. 286.—*An Act for the protection of laboring-men, who are householders, against being deprived of the exemption to which they are entitled under Section 3652 of the Code of Virginia.*

[Approved February 11, 1896.]

Prohibits the institution of proceedings, or the assignment or transfer of a claim in order that such proceedings may be instituted, by attachment or garnishment, outside of this State, for the purpose of having payment of a claim enforced out of the wages exempted by section 3652 of the Code.

CHAP. 292.—*An Act to amend and re-enact Section 2919 of the Code as amended and re-enacted by an Act approved February 29, 1888, in relation to the limitation of suits.*

[Approved February 12, 1896.]

Excludes from the computation of time, "one year from the death of any party," instead of "one year from the qualification of a personal representative."

CHAP. 293.—*An Act to amend and re-enact the 14th section of an Act entitled an Act to amend and consolidate into one Act the laws relating to the public printing and binding, and defining the duties of the superintendent of public printing, and to repeal Chapter 185 of the Acts of Assembly of 1879-'80, approved May 23, 1887.*

[Approved February 12, 1896.]

Petitions asking the passage of private bills, and applications for charters are to be printed at the expense of the person presenting such petition or bill, under the supervision of the superintendent of public printing, whose duty it shall be to obtain the best terms possible for printing.

CHAP. 296.—*An Act to amend and re-enact Section 10 of Chapter 743, of Acts of Assembly of 1893-'94, with reference to the unlawful taking or catching of crabs.*

[Approved February 12, 1896.]

Prohibits the catching of crabs by non-residents.

CHAP. 299.—*An Act to ratify, confirm, and approve charters, incorporating joint stock companies granted by the circuit or corporation courts of this State, or by the judge of any such court in vacation, in which the capital stock is not in excess of ten thousand dollars, and the directors, including the president, are fixed at three.*

[Approved February 12, 1896.]

The title sufficiently indicates the purport and scope of the Act.

CHAP. 304.—*An Act to amend and re-enact Section 2486 of Code of 1887, as amended by an Act to amend and re-enact Sections 2485 and 2486 of the Code of Virginia, in relation to the lien of employees, &c., of transportation, mining and manufacturing companies, on franchises and property of said companies, and how the same may be perfected and enforced, approved February 15, 1892.*

[Approved February 12, 1896.]

The lien is to be filed within ninety days after the last item of the bill for supplies or service becomes due and payable.

CHAP. 306.—*An Act to repeal Section 1916 of the Code of Virginia as amended and re-enacted by an Act entitled an Act to amend and re-enact Section 1916 of the Code, in relation to the duties of the sealer of weights and measures, approved February 9, 1892, as amended by an Act of the General Assembly, approved January 30, 1896.*

[Approved February 12, 1896.]

CHAP. 312.—*An Act to amend and re-enact Section 164 of Code of Virginia, as amended and re-enacted by an Act entitled an Act to amend and re-enact Section 164 of the Code of Virginia, so as to allow fourth-class postmasters to act as notaries, approved February 15, 1894, so as to allow fourth-class postmasters to act as school trustees.*

[Approved February 13, 1896.]

The scope and purport of the Acts are sufficiently indicated by their titles.

CHAP. 315.—*An Act to regulate the sale of goods marked "sterling," "sterling silver," or "coin silver," and to regulate the sale of merchandise made of gold.*

[Approved February 13, 1896.]

Requires that the silver article so marked shall contain 925-1000 of pure silver. The gold merchandise shall not be made of gold of a less carat of fineness than is marked on it or on the package enclosing it. A penalty is provided of a fine of not less than \$25 nor more than \$100, and, in default of payment, confinement in jail not less than ten nor more than sixty days, or both.

CHAP. 350.—*An Act to amend and re-enact Section 3034 of the Code of Virginia, with reference to the judgment of a court or judge trying a writ of habeas corpus.*

[Approved February 13, 1896.]

The words "or admit him to bail" are omitted.

CHAP. 318.—*An Act to amend and re-enact Section 1492, Code of Virginia, 1287, in relation to the attendance of children in public Schools.*

[Approved February 13, 1896.]

Requires that "when there are one or more schools other than graded schools in the same district, the attendance shall be upon the nearest school to the respective pupils, unless otherwise ordered by the district school board."

CHAP. 322.—*An Act to amend and re-enact Section 4144 of the Code of Virginia, entitled record to be kept of conduct of convicts; to have credit for good conduct.*

[Approved February 11, 1896.]

Adds the following: "Every time any convict is punished, the name of the offender, the offence, a full and detailed description of the punishment, the time when the offence was committed, and when punishment inflicted shall be recorded in a register provided for the purpose. Said register shall be monthly inspected by the board of directors of the penitentiary and examined and reported upon biennially by a joint committee of the General Assembly.

CHAP. 326.—*An Act to amend and re-enact Section 3515 of the Code of Virginia, in relation to fees of officers.*

[Approved February 14, 1896.]

Provides that no officer shall be compelled to perform any service unless his fees, if demanded, be paid or tendered, or otherwise satisfactorily secured him, except in criminal cases, and in the case of persons suing as provided by section thirty-five hundred and thirty-eight of the Code.

CHAP. 327.—*An Act to amend and re-enact Section 2197 of Code of Virginia, 1887, relating to burial of hogs and fowls that die from contagious disease.*

[Approved February 14, 1896.]

Inserts the words "contagious" before "disease," and applies to fowls as well as to hogs.

CHAP. 332.—*An Act to amend and re-enact Section 3960 of the Code of Virginia with reference to bail in criminal cases, when allowed and by whom.*

[Approved February 14, 1896.]

Provides that no justice can admit to bail except the one committing the accused. Requires the application for bail to be made first to the court in which the applicant is held to be tried, or the judge thereof in vacation. The application, if refused by a county court or judge, may be made to the circuit court of the county, or the judge thereof in vacation, and from a circuit court or the judge thereof in vacation to the court of appeals, or any one judge thereof in vacation. If refused by a corporation court or judge, application may be made to the court of appeals, or any one judge thereof. No other court or judge shall admit a person accused of a criminal offence to bail, otherwise than is herein provided, except that such person may be admitted to bail under section thirty-nine hundred and sixty-one of the Code, except that when the court in which the accused is held for trial is not in session, or the judge thereof is sick or absent, the proceedings for bail may be had in the corresponding court of an adjoining county or circuit, or the judge thereof in vacation, or, in case of a corporation court, before the nearest corporation court, or the judge thereof in vacation.

CHAP. 334.—*An Act to impose a tax on collateral inheritances and regulate the collection of same.*

[Approved February 14, 1896.]

Imposes a tax of five per centum on every hundred dollars value of any estate within this Commonwealth of any decedent passing under his will, or the laws regulating descents and distributions, to any other person, or for any other use than to or for the use of the grandfather and grandmother, father, mother, husband, wife, brother, sister or lineal descendant of such decedent.

CHAP. 344.—*An Act to amend and re-enact Section 862, Code of Virginia, 1887, entitled treasurer's annual settlement with supervisors; to deliver books, &c., to successor.*

[Approved February 17, 1896.]

Requires the treasurer, within sixty days after the July meeting of the board of supervisors, to settle with them his account for that year, and, out of the balance shown to be in his hands upon said settlement, to pay at once all warrants drawn on the levy for that year not previously paid in the order of their presentation, as prescribed by section 859.

CHAP. 351.—*An Act to protect sub-contractors, supply men and laborers.*

[Approved February 17, 1896.]

Provides that no assignment or transfer of any debt due or to become due to a

general contractor by the owner for the construction, erection, or repairing of any building, structure, or railroad for such owner, shall be valid until the claims of all sub-contractors, supply men and laborers are satisfied, unless the said sub-contractors, supply men and laborers assent in writing thereto. "No debt or demand, or any part thereof, due or to become due by the owner of any building, structure or railroad to a general contractor for the construction, erection or repairing of such building, structure or railroad, shall be subject to the payment of any debt or the lien of any judgment, writ of *feri facias* or any garnishee proceeding obtained or sued out upon any debt due * such general contractor which shall have been contracted in any other manner or for any other purpose than in the construction, erection or repairing of such building structure or railroad for such owner unless and until the claims due by such general contractor to all sub-contractors, supply men and laborers for materials furnished and labor performed in and about the construction, erection or repairing of such building, structure or railroad shall have been paid."

CHAP. 358.—*An Act providing for the transfer to the credit of the Commonwealth of the balance of the interest which accumulated on the direct tax fund in the hands of the state depositories after paying any unpaid expenses in connection therewith.*

[Approved February 18, 1896.]

Substance of the Act is sufficiently indicated by the title.

CHAP. 362.—*An Act to provide for the protection of domestic animals, and to authorize and empower the board of control of the experiment station of the Virginia Agricultural and Mechanical College at Blacksburg to establish live stock quarantine lines, rules, and regulations, and to prescribe penalties for violating the same.*

[Approved February 18, 1896.]

CHAP. 368.—*An Act to amend and re-enact Sections 525, 3518 and 3519 of the Code of Virginia, in relation to fee bills.*

[Approved February 18, 1896.]

Section 525 is amended so as to allow commissioners to place their fee bills in the hands of a sheriff or constable, instead of a sheriff or other officer.

By the amendments to sections 3518 and 3519, the treasurer is omitted from the list of officers to whom fee bills may be delivered for collection, and the bills are required to be delivered within two years from the time they become due.

CHAP. 379.—*An Act to amend and re-enact an Act entitled an Act to amend and re-enact Section 2048 of the Code of Virginia, as amended by an Act approved January 16, 1890, in relation to what constitutes a lawful fence, approved March 4, 1890.*

[Approved February 18, 1896.]

The following is inserted: "Provided that in any county for which a special fence law has heretofore been enacted, and whose board of supervisors have, prior to this amendment, adopted such a lawful fence as is provided for by this section,

* "By" evidently omitted by typographical error.

the action of said board is hereby confirmed and made valid." The period which must expire after the board has declared that established lines shall cease to be lawful fences before the declaration becomes operative, is fixed at "not less than one year."

CHAP. 380.—*An Act to constitute capitation tax a lien upon real estate owned by the person at the time such capitation tax is assessed.*

[Approved February 19, 1896.]

1. Be it enacted by the General Assembly of Virginia, That every capitation tax for state, county and corporation purposes shall be a lien upon the real estate owned by the person against whom such tax is assessed, from the time of such assessment; and if such tax be not paid, such real estate may be subjected to sale for the payment thereof and all costs and expenses, at the same time and in the same manner that such real estate would be subjected to sale for the payment of taxes assessed thereon.

2. This act shall be in force from its passage.

CHAP. 396.—*An Act to dispense with formal warrants in certain cases before the police justices and justices of the peace.*

[Approved February 19, 1896.]

1. Be it enacted by the General Assembly of Virginia, That in any case where a person has been arrested for a misdemeanor by a police officer of any city or town while in the discharge of his duty as such police officer, it shall not be necessary for any justice of the peace or police justice to issue any warrant for such person, but he shall proceed to try the same without a warrant, unless the person so arrested in person or by his counsel shall demand that the charges against him be reduced to writing in the form of a warrant.

2. All acts and parts of acts in conflict herewith are hereby, to that extent, repealed.

3. This act shall be in force from its passage.

CHAP. 397.—*An Act to amend and re-enact Section 2844 of the Code of Virginia as amended and re-enacted by an Act entitled an Act to amend Section 2844 of the Code of Virginia, in relation to public holidays, approved February 28, 1890, as amended and re-enacted by an Act entitled an act to amend and re-enact Section 2844 of the Code of Virginia as amended and re-enacted by an Act to amend Section 2844 of the Code of Virginia, in relation to public holidays, approved February 5, 1892.*

[Approved February 19, 1896.]

Every Saturday from twelve o'clock noon to twelve o'clock midnight is designated as a half-holiday as to negotiable instruments. Any bank may transact business on Saturday afternoons by a vote of its directors.

Negotiable paper falling due on a Sunday or holiday is made payable on the succeeding business day instead of the preceding.

CHAP. 406.—*An Act to amend and re-enact Sections 7, 8, 9, 10 and 25 of an Act entitled an Act to regulate and control guaranty, trust, indemnity, fidelity, and other like companies having for their purpose, or one of their purposes, to become security for the faithful performance of any trust, duty, contract, agreement, or bond, public or private, official or otherwise, or to assume any duty or obligation of like nature as principal or otherwise, or to become fiduciary, approved March 5, 1894.*

[Approved February 21, 1896.]

The chief change is that the maximum deposit required of such companies is decreased to \$25,000 and the minimum increased to \$12,500.

The lien upon the bonds deposited with the treasurer is restricted to citizens of this State.

Civil proceedings against any such company may be instituted in the same manner and form as provided by the laws of this State for proceedings against other corporations.

CHAP. 416.—*An Act to amend and re-enact Section 3225 of the Code of Virginia, in relation to the service of process against or notice to a corporation.*

[Approved February 24, 1896.]

The amendment is as follows: "and in case of any insurance company or surety company not created by the laws of this State but doing business in this State, process or notice shall be served in the manner prescribed by sections twelve hundred and sixty-six and twelve hundred and sixty-seven, chapter fifty-three of the Code of Virginia."

CHAP. 421.—*An Act to prohibit any fire insurance company, incorporated or licensed in this State, from issuing a policy or policies of insurance on any single risk for more than ten per cent. of its capital stock and assets; or, if a mutual company, for more than five per cent. of its cash assets; and providing the penalty for so doing.*

[Approved February 26, 1896.]

The title indicates the substance of the Act.

The license of the offending company is to be revoked for a violation of the Act.

CHAP. 423.—*An Act to amend and re-enact an Act approved February 27, 1894, in relation to the power of the courts to order a suit in equity or action at law to abate as to any improperly joined plaintiff or defendant, and to proceed thereafter by or against the others as if such misjoinders had not been made, &c.*

[Approved February 26, 1896.]

The Act is made to apply to suits "heretofore or hereafter instituted."

CHAP. 460.—*An Act to amend and re-enact Section 3164 of the Code of Virginia, in reference to allowance to jurors and requiring lists certified by the judge of the court and the clerk thereof to be sent to the treasurer of the county or corporation and to the auditor of public accounts immediately after the adjournment of any court.*

[Approved February 27, 1896.]

It is made the duty of the clerk immediately after the adjournment of the court

to transmit to the auditor, and also to the treasurer of the county or corporation, a list of all orders under the preceding section making allowances against the Commonwealth, with a certificate to the correctness of the list, and the aggregate amount thereof, signed by the judge of the court and himself, annexed thereto.

The treasurer shall not be repaid any allowance made against the Commonwealth, unless it appears in the list herein directed to be sent to the auditor of public accounts.

CHAP. 461.—*An Act to amend and re-enact sections thirty-five hundred and forty-nine and thirty-five hundred and fifty of the Code of Virginia, in reference to allowance to witnesses; how and by whom entered; by whom and upon what certificate paid, and requiring lists, certified by the judge of the court and clerk thereof, of all allowances made witnesses on behalf of the Commonwealth, to be sent to the treasurer of the county or city and to the auditor of public accounts immediately after the adjournment of any court.*

[Approved February 27, 1896.]

The amendment to section 3549 provides that "where the attendance was on behalf of the Commonwealth before a court or justice the entry shall be made upon the minutes of the court in which the case is, or to whose clerk the certificates mentioned in section seven hundred and eighteen of the Code are transmitted.

Section 3550 is amended so as to require that it shall be the duty of the clerk, "immediately after the adjournment of any court, to make out two lists of all entries made, on behalf of witnesses attending for the Commonwealth, and certify one to the auditor of public accounts and the other to the county or city treasurer, to which lists shall be attached a certificate to the correctness of the allowances therein and the aggregate amount thereof, signed by the judge of the court and the clerk." "The auditor of public accounts shall preserve in his office all such lists which shall be forwarded to him. He shall not issue a warrant for any claim allowed by a court to a witness, unless it appears upon the list, certified as herein provided; and upon the payment of any such claim the date of payment shall be noted on such list."

CHAP. 464.—*An Act to amend and re-enact Section 2295 of the Code in relation to the liability of the corpus of the equitable separate estate of married women for their contracts.*

[Approved February 24, 1896.]

Amended by the insertion of the following words: "and in the enforcement of every such contract against her equitable separate estate a court of equity may in any case subject, to the extent of her power over the same and of her interest therein, the corpus of any real estate as well as the corpus of any personal estate settled to her separate use, but the corpus of such real estate shall not be subjected by a sale of the same, or any part thereof, unless it is admitted or be made to appear that the rents and profits of such real estate will not be sufficient to discharge the liabilities of such estate within five years."

(See *Price v. Planters Nat. Bank*, 1 Va. Law Reg. 813.)

CHAP. 466.—*An Act to amend and re-enact Chapter 559 of an Act approved March 1, 1892, Acts 1891-'92, entitled "An Act to amend and re-enact Sections 3807 and 3810 of the Code of Virginia, relating to the protection of religious meetings and meetings for the promotion of the cause of temperance."*

[Approved February 24, 1896.]

The inhibition contained in section 3807 is extended to carrying on "any business whatever growing out of and dependent upon such meeting."

Section 3810 is amended by the addition of the following: "The supervisor or any justice of the magisterial district where a religious meeting is held shall, upon the written application of the conductor of such meeting, appoint as many temporary police as may be necessary to enforce order at such meeting, the authorities of such meeting paying all expenses attending the appointment of such officers."

CHAP. 469.—*An Act to require treasurers to report the payment of delinquent taxes made before sale to clerk of court and such clerk to endorse such payment on delinquent list in this office.*

[Approved February 24, 1896.]

The title shows the substance of the Act.

CHAP. 490.—*An Act to provide for the better preservation of order at race-courses, fair-grounds, base-ball and foot-ball parks, and other places where athletic sports are held.*

[Approved February 27, 1896.]

Allows uniformed police of a city, in attendance, to assist in the preservation of order and make arrests. The offender is to be taken before a county justice.

CHAP. 497.—*An Act to amend and re-enact Sections 2726 and 2728 of the Code of Virginia, in relation to the action of ejectment.*

[Approved February 27, 1896.]

The person actually occupying the premises, and any person claiming title thereto, or claiming any interest therein adversely to the plaintiff, may also, at the discretion of the plaintiff, be named defendants in the declaration.

The averment in the declaration may be that the defendant entered into the premises, or exercised acts of ownership thereon, or claimed title thereto, or some interest therein.

CHAP. 499.—*An Act to amend and re-enact Section 1792 of the Code of Virginia, in relation to the issue of licensed warehouse and other licensed storage receipts, and to provide penalties in respect thereto.*

[Approved February 27, 1896.]

No person shall issue such receipt unless he be the keeper of a licensed warehouse or place of storage, and has paid his license.

A duplicate receipt issued shall show on its face the reason for the issuance of the same, and a bond in the penalty of double the value of the article for which the original receipt was given shall be given. The fact that the storage place is licensed shall be shown on a prominent sign and on the bill-heads and envelopes. A fine of from fifty to one hundred dollars is provided for the violation of the Act.

CHAP. 500.—*An Act to amend and re-enact an Act entitled "An Act to regulate and protect the crabbing industry, and to prohibit non-residents from catching crabs in the waters of Virginia," approved March 7, 1894, and to repeal an Act entitled "An Act to protect the crab industry of the Commonwealth," approved May 12, 1887.*

[Approved February 27, 1896.]

The amendatory portion enacts that "it shall be unlawful for any person to catch crabs with scrapes or dredges on the planted grounds of private individuals, or the natural oyster-rocks in the State of Virginia."

CHAP. 507.—*An Act in relation to commitment of minors to prison association of Virginia and their custody.*

[Approved February 27, 1896.]

No person shall be detained in the association after he is twenty-one years old.

Every judge, court, or magistrate who shall commit any minor to the custody of the association shall notify the association that the minor will be committed with the assent of the association, and if the association shall assent to such commitment it shall send a guard for the minor.

Jurisdiction of all *habeas corpus* proceedings in relation to the custody of such minors by the association shall be exclusively in the circuit court of Richmond.

CHAP. 508.—*An Act to amend and re-enact Section 1065, Chapter 45, of the Code of Virginia in relation to the duties of fire marshals in cities and towns.*

[Approved February 27, 1896.]

In making an investigation, he is invested with the rights and powers conferred on coroners by sections 3939, 3940 and 3942. For failure to discharge his duty he is liable to a fine not exceeding one hundred dollars, to be imposed by the council and to be collected as other fines are collected.

CHAP. 509.—*An Act to regulate the practice of veterinary medicine and surgery in the State of Virginia.*

[Approved February 27, 1896.]

Provides for the appointment of a State board, who shall examine candidates for certificate to practice.

CHAP. 510.—*An Act to amend and re-enact Section 525 of the Code of Virginia, in relation to the collection of fees of the commissioner of revenue.*

[Approved February 27, 1896.]

The amendment is: "Provided, however, that in the county of Henrico and city of Richmond the transfer fee allowed by law to the commissioners of the revenue for said county or city shall be collected by the clerk of the court of record of the said county or city at the time of recording the deed, and provided, further, that in no case shall but one fee be charged, and in order to avoid any misconception of this Act the fee shall be collected from the first vendee, and no additional fees for the transfer of any property on which said fee has been paid shall be collected during the fiscal year terminating on the thirty-first day of December of each year."

CHAP. 514.—*An Act to amend and re-enact Section 2065, Code of Virginia, in regard to estrays.*

[Approved February 27, 1896.]

The owner is required to pay the fees of the justices and freeholders.

CHAP. 523.—*An Act to amend and re-enact Section 3810 of the Code of Virginia, entitled appointment of police for religious meetings.*

[Approved February 28, 1896.]

The amendment is in the addition of the following: "The supervisor or any justice of the magisterial district where a religious meeting is held shall, upon the written application of the conductor of such meeting, appoint as many temporary police as may be necessary to enforce order at such meeting—the authorities of such meeting paying all expenses incurred by reason of the appointment of such officers."

CHAP. 526.—*An Act to amend and re-enact Section 2500 of the Code of Virginia, and to amend and re-enact Section 2501 of the Code as amended and re-enacted by an Act approved February 10, 1890, entitled "An Act to amend and re-enact Section 2501 of the Code, in relation to certificates of acknowledgment."*

[Approved February 28, 1896.]

Writings may be acknowledged before "the clerk of any court of record in this State, or before the clerk of any court without this State, but within the United States," or his deputy.

A certificate of acknowledgment of a writing executed in a representative capacity need not express that the acknowledgment was in a representative capacity. A form of certificate for such case is given.

CHAP. 529.—*An Act to amend and re-enact Section 3693 Code of Virginia, as to prize fighters, how punished, and to prohibit prize fighting and pugilism and fights between men and animals.*

[Approved February 28, 1896.]

Pugilistic encounters between man and man, or fights between man and animals, for money or championship, or to see which an admission fee is charged, are punished by confinement in the penitentiary from one to five years. This includes "glove fights."

CHAP. 536.—*An Act to amend and re-enact an Act entitled an Act to amend and re-enact Section 2498 of the Code of Virginia, in relation to entering on record payment or satisfaction of certain incumbrances and liens, approved February 27, 1894.*

[Approved February 29, 1896.]

Provides that the clerk's fee for a marginal release shall be twenty-five cents.

CHAP. 538.—*An Act to amend and re-enact Section 3890 of the Code of Virginia, in relation to offences committed without and made punishable within the State where prosecuted, and making liable to punishment persons committing robbery beyond the State and bringing the stolen property within the same.*

[Approved February 29, 1896.]

The amendment is in the addition of the following: "and if any person shall

commit larceny or robbery beyond the jurisdiction of this State and bring the stolen property into the same, he shall be liable to prosecution and punishment for his offence in any county or corporation in which he may be found as if the same had been wholly committed therein."

(This changes the rule as declared in *Strouther v. Com.*, 1 Va. Law Reg. 597.)

CHAP. 539.—*An Act to prevent pool selling, and so forth, upon the results of any trials of speed of any animals or beasts taking place without the limits of the Commonwealth.*

[Approved February 29, 1896.]

The title expresses sufficiently the purport of the Act.

(The validity and construction of this Act was directly involved in *Lacey v. Palmer*, ante p. 82.)

CHAP. 541.—*An Act to amend and re-enact Section 36 of an Act entitled an Act to provide for the assessment of taxes, etc., for the support of government, approved March 6, 1890, as to sale by agents, and add thereto.*

[Approved February 29, 1896.]

The amendment is in the addition of the following: "Provided, however, that any merchant engaged in the publishing and printing business in this State who has paid the license tax imposed by law, and who has been assessed upon the capital employed under schedule C of this Act, under said license tax and without additional license, may sell their merchandise throughout the State."

CHAP. 545.—*An Act to prevent gambling and selling or making books, pools or mutuels within the Commonwealth of Virginia.*

[Approved February 29, 1896.]

(This is the famous Maupin bill, and was recently passed on incidentally by the Court of Appeals in *Lacey v. Palmer, Sheriff*, ante p. 82.)

CHAP. 551.—*An Act to amend and re-enact Section 1 of Chapter 83 of the Acts of 1889 and 1890, in relation to the control of prisoners in jail.*

[Approved February 28, 1896.]

For "any one who may have control of the said prisoner or prisoners" is substituted "the jailer regularly in charge of said prisoner or prisoners," with reference to the persons in whose presence communication with the prisoners is permitted. A violation of the Act, or the allowing, by a person in charge of the prisoners of a violation thereof, is punished by fine of from five to fifty dollars.

CHAP. 566.—*An Act to amend and re-enact an Act entitled an Act to amend and re-enact Section 2961 of the Code of Virginia, relative to attachments, approved January 30, 1890.*

[Approved March 2, 1896.]

Allows attachment to issue upon complaint made to a "justice of the county or corporation in which the debtor against whom the claim is resides, or in which he has estate or debts owing him, or if he has removed from the State, in which he last resided, or in which he has estate or debts owing him."

CHAP. 570.—*An Act providing that when a mortal wound or injury is inflicted by a person within the State upon one outside the same, or upon one in this State who afterwards dies from the effects of the same outside of the State, that the offender shall be amenable to punishment, and where he may be prosecuted.*

[Approved March 2, 1896.]

1. Be it enacted by the General Assembly of Virginia, That if a mortal wound or other violence or injury be inflicted by a person within this State upon one outside of the same, or upon one in this State who afterwards dies from the effect thereof out of the State, the offender shall be amenable to prosecution and punishment for the offence in the courts of the county or corporation in which he was at the time of the commission thereof as if the same had been committed in such county or corporation.

2. This Act shall be in force from its passage.

CHAP. 581.—*An Act to fix the price at which the Code of 1887 shall be sold.*

[Approved March 3, 1896.]

Two dollars per volume.

CHAP. 587.—*An Act suspending time of redeeming lands sold for delinquent taxes and bought by the auditor in cases where proceedings in equity have been instituted by parties interested in such lands.*

[Approved March 3, 1896.]

Suspends operation of section 666 and amendatory Acts for one year. The owner of the land must notify the clerk of the court of the county or corporation where it is situated, of the existence of the suit.

CHAP. 592.—*An Act to amend and re-enact Section 1 of an Act entitled "An Act to authorize certain persons, when arrested or convicted, to be committed to the custody of the prison association of Virginia," approved March 4, 1890.*

[Approved March 3, 1896.]

The persons who may be committed, upon arrest or conviction, are "any minor charged with any crime, or with being a vagrant, or disorderly person." No minor shall be committed before conviction, without the consent of the parent or legal guardian of said minor, if any such there be.

CHAP. 608.—*An Act to amend and re-enact Section 3528 of the Code of Virginia, and to repeal Section 3526 of the Code of Virginia, in relation to fees of attorneys for the Commonwealth.*

[Approved March 3, 1896.]

Fixes a maximum limit of the sum which may be drawn by the attorney for the Commonwealth of any county or city from the State treasury in any one year, and abolishes their allowance for the circuit courts.

CHAP. 609.—*An Act to require the judges of courts and the clerks to certify to the auditor of public accounts lists of all allowances made by courts.*

[Approved March 3, 1896.]

Must be certified separately by the judge and clerk within ten days after the adjournment of court. No claim shall be paid by the auditor unless so certified.

CHAP. 611.—*An Act to amend and re-enact Section 3680 of the Code of Virginia in reference to rape and its punishment.*

[Approved March 3, 1896.]

The age of consent is raised to fourteen. The words “or any female who is an inmate of a deaf, dumb or blind institution who is a pupil therein,” are inserted. The minimum term of confinement is reduced from ten to five years.

CHAP. 612.—*An Act to amend and re-enact Sections 1714, 1715, 1717, 1724 and 1725, Code of Virginia, in relation to the powers, duties, and compensation of the State board of health, and to make an appropriation for maintaining the same.*

[Approved March 3, 1896.]

Gives the board power to make sanitary investigations, establish quarantine lines, etc. The expenses of the board cannot exceed the sum of two thousand dollars per annum.

CHAP. 613.—*An Act to amend and re-enact an Act entitled “An Act to provide for the payment of debts due by commission merchants,” approved February 27, 1894, and to provide remedies in respect thereto.*

[Approved March 3, 1896.]

Wherever the word “consignor” occurs the words “or owner” are added.

CHAP. 614.—*An Act in relation to the fraudulent sale, negotiation, pledge or hypothecation of licensed warehouse or other licensed storage receipts, and to provide punishment in respect thereto.*

[Approved March 3, 1896.]

1. Be it enacted by the General Assembly of Virginia, That any firm or person, natural or artificial, who shall issue any licensed warehouse or other licensed storage receipt for farm product in his own name, being in possession of said farm product for or on account of another, and sell, negotiate, pledge or hypothecate such licensed warehouse or other licensed storage receipt and fraudulently fail to account for or pay over to his principal or the owner of the property the amount so received on such sale, negotiation, pledge or hypothecation less the charges and amount due him, shall be deemed guilty of the larceny of such money, or the farm product, or the receipt, and, upon conviction thereof, punished by confinement in the penitentiary not less than one year nor more than five years; and the failure to account for or pay over to such principal or owner shall be *prima facie* proof of fraudulent intent.

CHAP. 621.—*An Act to amend and re-enact Section 814 of the Code, as amended by Acts of Assembly 1893-'94, in relation to bonds of officers.*

[Approved March 3, 1896.]

If a county treasurer gives a surety company as surety on his bond, the bond shall not exceed the amount to be received annually by him.

CHAP. 625.—*An Act to prohibit the several cities and towns of the Commonwealth from imposing and collecting any tax, fine or other penalty upon persons selling their own farm and domestic product within the limits of any such town or city outside of and not within the regular market houses and sheds of such towns and cities.*

[Approved March 3, 1896.]

The title sufficiently expresses the purport of the Act.

CHAP. 626.—*An Act to amend and re-enact Sections 4071, 4074, and 4075 of the Code of Virginia, in relation to the confinement in jail and release therefrom of persons sentenced or directed by a court of justice to be confined therein, in default of the payment of a fine or fine and cost, or cost where there is no fine, or until such fine or fine and cost be paid, and the release from jail of persons in jail under capias pro fine.*

[Approved March 3, 1896.]

Provides a sliding scale of imprisonment in default of the payment of a fine, etc., which is in no case to exceed three months.

CHAP. 636.—*An Act providing for the appointment and removal of coroners, and for the enacting and re-enacting of Section 891 of the Code of Virginia, 1887.*

[Approved March 3, 1896.]

1. Be it enacted by the General Assembly of Virginia, That section eight hundred and ninety-one of the Code of Virginia, eighteen hundred and eighty-seven, be amended and re-enacted so as to read as follows:

Sec. 891. Coroners, how appointed and removed.—The judge of each corporation and county court of the State shall, on the first day of July, eighteen hundred and ninety-six, and every two years thereafter, appoint for his city or county, as the case may be, one person, who shall be the coroner of such city or county, who shall qualify according to law and serve until his successor is appointed and qualifies. If the court shall be of opinion that one coroner is not sufficient, he may appoint as many more as to him may seem proper. Coroners may be removed from office as provided in section eight hundred and twenty-one of this Code for the removal of certain officers.

2. All Acts and parts of Acts inconsistent with this Act are hereby repealed.

3. This Act shall be in force from its passage.

CHAP. 642.—*An Act to authorize and empower the auditor of public accounts to collect taxes heretofore assessed upon bank stock held by resident and non-resident stockholders.*

[Approved March 3, 1896.]

The stock shall be assessed where the bank is located. The tax is made a first lien on the stock. A list of the stockholders who have not paid shall be furnished the auditor. If the tax thus shown to be due be not paid by the bank to the auditor, the attorney-general shall proceed to collect the same by motion in the Circuit Court of Richmond after ten days' notice to the stockholder.

CHAP. 643.—*An Act to protect all payment made to the holder of any policy in any accident company, sick benefit company, or any company of like kind, from levy or distress for any debt due by the insured.*

[Approved March 3, 1896.]

1. Be it enacted by the General Assembly of Virginia, That the payments made in weekly or monthly installments to the holder of any policy of insurance in any accident company, sick benefit company, or any company of like kind, shall not be subject to the lien of any attachment, garnishment proceedings, writ of fieri facias,

or to levy or distress in any manner for any debt due by the holder of such policy.

2. This Act shall be in force from its passage.

CHAP. 644.—*An Act to prevent cruelty to children, and to regulate and provide for their control and custody in certain cases.*

[Approved March 3, 1896.]

It is made unlawful for any person having the custody of any child willfully to cause or permit the child to be placed in such a situation that its life or health may be endangered, or to dispose of any child under fourteen for the purpose of any business injurious to the health or morals or dangerous to the life and limb of the child, or for any person to employ such child in such business. Children under fourteen may, under certain circumstances, be committed to a society for the prevention of cruelty to children. A violation of the provisions of the Act is to be punished by fine not exceeding \$200 or imprisonment not exceeding twelve months or both.

CHAP. 646.—*An Act to amend Section 2071 of the Code of Virginia, 1887, as amended by an Act entitled "An Act to amend and re-enact Section 2071 of the Code of Virginia, in relation to unlawful hunting, &c., on another's land," approved January 28, 1890, as amended and re-enacted by an Act entitled "An Act to amend Section 2071 of the Code of 1887, in relation to unlawful hunting, &c., on another's land," approved January 31, 1890, as amended and re-enacted by an Act entitled "An Act to amend an Act entitled an Act to amend and re-enact Section 2071 of the Code of Virginia, in relation to unlawful hunting, &c., on another's land," approved January 28, 1890, approved March 3, 1892, so as to provide penalties and punishments for going upon the land of another after being warned not to do so.*

[Approved March 3, 1896.]

The amendment is in the addition of the following: "And if any person, after being warned not to do so by the owner or tenant of any premises, shall go upon the lands of the said owner or tenant he shall, in addition to the liabilities imposed under this section, be deemed guilty of a misdemeanor, and, upon conviction thereof, punished by a fine not exceeding fifty dollars, or imprisonment in the county jail not exceeding sixty days, or both, in the discretion of the jury."

CHAP. 649.—*An Act to amend and re-enact Section 3251 of the Code of Virginia relating to forms of actions and declarations on policy of insurance.*

[Approved March 3, 1896.]

Restores the law as found in Code 1873, ch. 167, sec. 14.

CHAP. 661.—*An Act to amend and re-enact an Act entitled an Act to require the payment of fees on certain charters, approved February 10, 1890, as amended by an Act approved February 28, 1890, and further amended and re-enacted by an Act approved January 22, 1894.*

[Approved March 3, 1896.]

Requires payment in advance of the State fee on both court and legislative charters, to be refunded if the charter be not granted.

CHAP. 662.—*An Act to amend and re-enact Section one of an Act entitled an Act to prescribe the mode of applying for and obtaining a license (other than a license for which the certificate of a court is required by law before it is granted) the tax on which, but for this Act, would be fifty dollars or more were it issued for the period of one year, approved February twenty-two, eighteen hundred and ninety.*

[Approved March 3, 1896.]

The only effect of the amendment is to reduce the commissioner's fee for issuing license required to be paid quarterly, to fifty cents.

CHAP. 666.—*An Act to authorize land owners to erect and maintain gates across private roads.*

[Approved March 3, 1896.]

A fine of from one to five dollars is imposed for leaving the gate open.

CHAP. 669.—*An Act to amend and re-enact Section 17 of an Act entitled an Act to provide for the assessment of taxes on persons, property, and incomes, and on licenses to transact business, and imposing taxes thereon for the support of government and public free schools and to pay the interest on the public debt, and prescribing the mode of obtaining licenses to sell wine, ardent spirits, malt liquors, or any mixture thereof, in cases where a court certificate is required, approved March 6, 1890.*

[Approved March 3, 1896.]

Makes elaborate and stringent provisions for the collection of the tax on the shares of stock in banks.

(Compare chap. 642, *supra*.)

CHAP. 670.—*An Act to regulate the granting of injunctions in certain cases.*

[Approved March 3, 1896.]

An injunction order may prescribe the time during which the injunction shall be effective. On motion after notice the injunction may be dissolved, enlarged or extended. From an order of dissolution or refusal there shall be no appeal, but if such order be made by a circuit or corporation court or judge, application for an injunction may be made to a judge of the Court of Appeals, as provided in section 3438 of the Code.

CHAP. 671.—*An Act to amend and re-enact Section 2042 of the Code of Virginia in relation to damages for trespass by animals, forfeited, &c., as amended and re-enacted by an Act approved March 1, 1888.*

[Approved March 3, 1896.]

The amendment consists in the addition of the following: "But so far as relates to that part of Henrico county, Virginia, within three miles of the corporate limits of the city of Richmond, in addition to the above damages the owner or manager of every such animal shall be liable for every such entry to a fine of two dollars for each animal.

And the tenant or owner, or their agents, of any such land so trespassed upon shall have the right to take up and confine every such animal so trespassing and hold the same until the fine imposed under this Act, together with the cost of taking up and confining such animal, shall have been paid."

CHAP. 673.—*An Act to amend and re-enact Section 525 of the Code of Virginia in relation to the collection of fees of the commissioner of the revenue.*

[Approved March 3, 1896.]

In Chesterfield, Bedford and Brunswick, and the city of Norfolk, the transfer fee of the commissioner of the revenue shall be collected by the clerk at the time of recording the deed.

CHAP. 683.—*An Act to amend and re-enact Section 1842 of the Code, as amended and re-enacted by an Act entitled an Act to amend and re-enact Section 1842 of the Code of Virginia, in relation to sale by samplers and others of unclaimed tobacco in warehouses of the city of Richmond, and disposition of the proceeds, approved March 3, 1890.*

[Approved March 3, 1896.]

Allows the tobacco to be sold after one year, instead of three years.

CHAP. 686.—*An Act to punish the illicit traffic in intoxicating liquors in the counties of Wythe, Carroll and Grayson.*

[Approved March 3, 1896.]

CHAP. 688.—*An Act to amend and re-enact Section 556 of the Code, prescribing when commissioners to return lists of licenses to auditor, and what list to contain.*

[Approved March 3, 1896.]

The lists must be returned on the first day of July and the thirty-first day of December.

CHAP. 697.—*An Act to amend and re-enact an Act of the General Assembly of Virginia, approved January 30, 1896, entitled an Act requiring the auditor of public accounts to make a statement annually showing an accounting of the county and city treasurers with the State who are in arrears, and prescribing the manner in which the same shall be made public.*

[Approved March 3, 1896.]

The only change is in the substitution of September 31, 1896, for July 31, as the date for the commencing of the statement.

CHAP. 699.—*An Act to amend and re-enact Chapter 2 of an Act approved March 6, 1890, entitled an Act to provide for the assessment of taxes on persons, property, and incomes, and on licenses to transact business, and imposing taxes thereon for the support of the government and public free schools and to pay the interest on the public debt, and prescribing the mode of obtaining licenses to sell wine, ardent spirits, malt liquors, or any mixture thereof, in cases where a court certificate is required, and to repeal Section 9 of Chapter 2 of this Act relating to liquor licenses.*

[Approved March 4, 1896.]

Does away with the "bar-room license," and includes in the license to sell by retail "the privilege of being drank at the place where sold." The retail license is raised to \$100 in places of less than one thousand inhabitants, and \$200 in places exceeding one thousand.

CHAP. 700.—*An Act to amend and re-enact an Act entitled an Act to provide for a method of voting by ballot, approved March 6, 1894.*

[Approved March 4, 1896.]

The principal change is the abolition of the special constable, and the designation by the judges of one of their number to enter the booth with an elector physically or educationally unable to prepare his ballot, and render him assistance.

CHAP. 702.—*An Act to provide for the reorganization of the institution for the deaf and dumb and the blind, and to repeal Chapter 74 of the Code of Virginia, and to repeal Chapter 226 of the Acts of Assembly, entitled "An Act to regulate the appointment of the board of directors of the deaf, dumb and blind institute at Staunton, Virginia," approved May 14, 1887.*

[Approved March 4, 1896.]

CHAP. 705.—*An Act to provide for a method for the better assessment of personal property under the control of fiduciaries and the several courts of the Commonwealth.*

[Approved March 4, 1896.]

Provides that each circuit judge shall select one of the commissioners in chancery of his court, or appoint an additional commissioner in chancery, if he deem it advisable, who shall, in their respective circuits, examine annually the proceedings in all courts of record, ascertain all moneys and evidences of debt subject to taxation, and make detailed report thereof to the commissioner of the revenue. He shall receive one-tenth of one per centum on the aggregate amount of property assessed under the Act, and shall give bond in the penalty of \$5,000.

CHAP. 726.—*An Act to take the sense of the people upon the call of a convention to revise and amend the Constitution.*

[Approved March 4, 1896.]

The sense shall be taken at the elections on the fourth Thursday in May, 1897.

CHAP. 729.—*An Act to amend and re-enact Section 1043 of the Code of Virginia in order to provide for local assessment.*

[Approved March 4, 1896.]

Amends the law, by adding provisions for notice and right of appeal, so as to conform to the decision in *Violett v. City Council of Alexandria*, 1 Va. Law Reg. 901.

CHAP. 732.—*An Act to punish as for a misdemeanor a person using abusive language to another.*

[Approved March 4, 1896.]

1. Be it enacted by the General Assembly of Virginia, That if any person shall in the presence or hearing of another, curse or abuse such person, or use any violently abusive language to such person concerning himself or any of his female relations, under circumstances reasonably calculated to provoke a breach of the

peace, he shall be deemed guilty of a misdemeanor, and on conviction shall be fined in any sum not less than one dollar, nor more than twenty-five dollars.

CHAP. 741.—*An Act to regulate and license pawnbrokers, and to regulate junkdealers and dealers in second-hand personal property in the cities of Virginia and county of Henrico.*

[Approved March 4, 1896.]

Prescribes the form of books to be kept, which shall at all times be open to police inspection. Gives the right to sell pledges after four months, after five days' notice by newspaper publication. Officers of the law shall be admitted at any time to search without a warrant or other process, and to take into possession any article believed to be stolen. A maximum rate of interest and storage charges is prescribed.

CHAP. 743.—*An Act to amend and re-enact Section 814 of the Code of Virginia as amended by an Act approved 23d February, 1894, prescribing the penalties of bonds of county officials.*

[Approved March 4, 1896.]

Seems to have been enacted without reference to Ch. 621, Acts 1895-6. *Quære*: How far it conflicts therewith.

CHAP. 744.—*An Act to authorize the Governor to appoint a board of commissioners for the promotion of the uniformity of legislation in the United States.*

[Approved March 4, 1896.]

Three are to be appointed within thirty days from the passage of the Act, to represent the State of Virginia in conventions of like commissions appointed by other States. They hold office for two years. The commissioners receive no compensation, but are to be paid their travelling expenses, not to exceed fifty dollars each per annum.

CHAP. 745.—*An Act to amend and re-enact Section 3780 of the Code in relation to carrying concealed weapons.*

[Approved March 4, 1896.]

In addition to the fine the offender may be committed to jail not more than thirty days, or be both fined and imprisoned.

CHAP. 746.—*An Act to amend and re-enact Section 3160 of the Code of Virginia in relation to the pay and mileage of jurors.*

[Approved March 4, 1896.]

A juror in the country is to receive one dollar for each day of attendance on the court, whether he serve or not.

CHAP. 758.—*An Act to amend and re-enact Section 2465 of the Code of Virginia in relation to contracts, deeds, &c., that are void as to creditors and purchasers unless recorded.*

[Approved March 4, 1896.]

The amendment consists in the addition of the following: "Provided that pos-

session of any such estate or term, without notice of other evidence of title, shall not be notice to said subsequent purchasers for valuable consideration."

(This is intended to obviate the decision in *Chopman v. Chopman*, 1 Va. Law Reg., p. 195.)

CHAP. 781.—*An Act to prohibit winter racing in the State of Virginia.*

[Approved March 4, 1896.]

Prohibits racing during December, January, February and March.

CHAP. 782.—*An Act requiring Superintendent of penitentiary to keep account of all expenses incurred in delivering convicts to the penitentiary.*

[Approved March 4, 1896.]

Requires an annual itemized report of the same.

CHAP. 783.—*An Act to provide more effectually for the punishment of vagrants.*

[Approved March 4, 1896.]

Makes it unlawful for city or town authorities to discharge a vagrant on condition that he will leave the city or town.

CHAP. 788.—*An Act prescribing how a person riding a bicycle shall pass a vehicle or person on horseback on the public highways and bridges, and providing penalties.*

[Approved March 4, 1896.]

He must use proper care in passing, and if the horses appear to be frightened, he must dismount and stop. The fine is from \$2 to \$5.

CHAP. 827.—*An Act to amend and re-enact Section 2476 of the Code of Virginia of 1887, as amended by an Act entitled an Act to amend Sections 2475 and 2476 of the Code of Virginia, with reference to liens for work done and material furnished by artisans, mechanics, lumber dealers and others, approved January 16, 1896, and to amend and re-enact Section 2477 of the Code of Virginia of 1887, as amended by an Act entitled an Act to amend Section 2477 and 2479 of the Code of Virginia in relation to the lien of mechanics, approved February 28, 1894.*

[Approved March 5, 1896.]

Corrects section 2476 as amended by the Act of January 16th, 1896, by eliminating the words "all persons performing any labor or furnishing any materials for the construction of any building, structure, or railroad," thus making the section applicable to the general contractor alone.

The only amendment to section 2477 is the addition of the words "or railroad."

CHAP. 829.—*An Act to eradicate the San Jose or pernicious scale, a disease affecting fruit-trees, and to prevent its spread.*

[Approved March 5, 1896.]

Empowers the board of control of the State Agricultural Experiment Station to take immediate action to eradicate the insect. Infested plants may be destroyed at the expense of the owner.

CHAP. 836.—*An Act to amend and re enact Section 2109, Code of Virginia, relating to penalty for unlawful fishing.*

[Approved March 5, 1896.]

The fine for a violation of the law in respect to mountain trout is fixed at not less than five nor more than twenty dollars.

CHAP. 845.—*An Act to amend and re-enact an Act entitled an Act to amend and re-enact Section 4106 of the Code of Virginia, touching the jurisdiction of police justices and justices of the peace as to the trial of offenders in certain cases, approved February 23, 1894.*

[Approved March 5, 1896.]

Gives police justices and justices of the peace exclusive original jurisdiction of all misdemeanor cases occurring within their jurisdiction.

(See *Lacey v. Palmer*, recently decided by the Supreme Court of Appeals.)

CHAP. 846.—*An Act to amend and re-enact Sections 3 and 6 of an Act entitled an Act to protect and advance agriculture by regulating the sale and purity of commercial fertilizers and the guarantee and conditions upon which they are to be sold, and fixing the penalties incurred for violations of the same, approved February 24, 1890, and to amend and re-enact Section 8 of said Act as amended and re enacted by an Act approved March 8, 1894, and to amend and re-enact Section 10 of said Act as amended and re-enacted by an Act approved March 8, 1894, and as amended and re-enacted by an Act approved February 1, 1896.*

[Approved March 5, 1896.]

If the seller be not present when the fertilizer is delivered to the purchaser, the sample may be drawn by any justice of the county or corporation in the presence of the purchaser.

The fees and fines collected under the Act are to pay the expenses of carrying it out, including a commission of three per centum to the commissioner of agriculture for collecting and disbursing the same, which sum for all purposes shall not exceed the sum of three thousand dollars in one year.

All violations of the provisions of the Act are declared to be punishable as violations of the revenue law.

CHAP. 850.—*An Act to amend and re-enact Sections 70 and 71 of an Act approved March 6, 1890, entitled an Act to provide for the assessment of taxes on persons, property, and incomes, and on licenses to transact business, and imposing taxes thereon for the support of the government and public schools and to pay the interest on the public debt, and prescribing the mode of obtaining licenses, &c, so as to exempt from the license tax boarding house keepers who keep boarders for a period not exceeding two months.*

[Approved March 5, 1896.]

Exempts from license as a boarding-house persons who take not more than ten adult boarders for a period not exceeding two months.

CHAP. 856.—*An Act to amend and re-enact Section 3969 of the Code of Virginia, with reference to when a justice to discharge an accused person who is before him for examination, and what to do when there is sufficient cause to charge him.*

[Approved March 5, 1896.]

Provides that the justice shall try the accused if he consider that there is sufficient cause to charge him with a misdemeanor only; if he consider that there is just sufficient cause for charging the accused with a felony, then he shall commit him to jail, or let him to bail under section 3960.

CHAP. 858.—*An Act to amend and re-enact Section 3725 of the Code of Virginia of 1887, as amended by an Act entitled an Act to amend and re-enact Section 3725 of the Code of Virginia, as to obstructing or injuring canals, &c., how punished, approved March 3d, 1894.*

[Approved March 5, 1896.]

The penalty for malicious obstruction, etc., is made not less than two nor more than ten years. If death result the degree of murder of which the offender is guilty is to be determined by the jury. The unlawful, but not malicious, shooting or throwing at passenger trains is to be punished by confinement in the penitentiary from one to three years, or in jail from one to twelve months, or fine of not exceeding \$500.

CHAP. 861.—*An Act in relation to officers and teachers of public free schools having any pecuniary benefit in furnishing books, &c., to public free schools in this State.*

[Approved March 5, 1896.]

Provision is made for the exception of any teacher who is an author or inventor.

[This synopsis does not include Acts of Assembly published in previous numbers of the REGISTER. EDITOR.]